UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/016,529	12/10/2001	Scott Alan Beckwith	AUS920065006US2	1269

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EXAMINER
TRUONG, LAN DAI T

ART UNIT	PAPER NUMBER
2152	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/016,529	BECKWITH ET AL.
	Examiner	Art Unit	
	Lan-Dai Thi Truong	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>03</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *11 October 2007*.

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *32-43* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *32-43* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/11/2007 has been entered.

2. This action is response to communications: application, filed on 12/10/2001; amendment filed 10/11/2007. Claims 32-43 are pending; claims 1-31 are canceled; claim 32 is amended.

3. The applicant's arguments filed on 10/11/2007 have fully considered but they are moot in view with new ground for rejections

Claim rejections-35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

      Claim 32 is rejected under 35 U.S.C. 102(a) as being anticipated by Scholl et al.

(U.S. 5,742,762), "Scholl", herein after

      Regarding claim 32:

      Scholl discloses a system, which can be implemented in a computer hardware or software

code for managing a plurality of networks, comprising:

      a message receiving means for receiving a message for controlling two or more SCPs of

the plurality of SCPs: (scholl discloses network management system wherein a web user is

capable to access and manage multiple networks through a single Web client. In scholl's system,

the network management gateway implements as intermediary agent for network management

communications between Web client and managed network elements those receive network

management requests from the Web client: figure 3; column 6, lines 3-32, lines 57-67; abstract,

lines 13-17; column 4, lines 1-64)

      first translating means for translating at least a portion of the message to a first vendor-

specific format of a first SCP of the two or more SCPs: (The network management gateway has

capabilities of parsing and translating received management service requests from the Web client

into appropriate protocols or formats for each of destination managed network elements prior

forwarding them to appropriate managed network elements: figure 3; column 6, lines 3-32, lines

57-67; abstract, lines 13-17; column 4, lines 1-64)

      and a second translating means for translating at least a portion of the message to a

second-vendor-specific format of a second SCP of the two or more SCPs, wherein the second

translating means is different for the first translating means: (the network management gateway

includes a parser and a formatter for parsing and translating the received management service

requests into appropriate formats or protocols of destination managed network elements prior

forwarding them to desired destination managed network elements: column 6, lines 15-24, lines

57-67)

Claim rejections-35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section
> 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the
> subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill
> in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made

Claim 33 is rejected under 35 U.S.C 103(a) as being un-patentable over Scholl in

view of Connolly et al. (U.S. 5,657,375)

Regarding claim 33:

Scholl discloses the invention substantially as disclosed in claim 32, but does not

explicitly teach audio response means for receiving messages from a telecommunication services

subscriber at a telephone

In analogous art, Connolly discloses management system for controlling two-ways

voice/data/image calling, see (figure 1, abstract)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine Connolly's ideas of applying two-way voice/data/image calling

into Scholl's network management system in order to increase flexibilities for Scholl's

management system, see (Connolly: column 1, lines 36-67)

Claims 34-36 are rejected under 35 U.S.C 103(a) as being un-patentable over Scholl

in view of Branddy (U.S. 6,141,759)

__Regarding claim 34:__

Scholl discloses the invention substantially as disclosed in claim 32, but does not

explicitly teach means for receiving messages from an automated provisioning system

In analogous art, Branddy discloses technique of automatically sending update

configuration information, see (column 18, lines 10-15)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine Branddy's ideas automatically sending update configuration

information into Scholl's network management system in order to increase efficiencies for

network management system (i.e. ability of distribute up-to-date configuration information), see

(Branddy: column 18, lines 10-15)

__Regarding claim 35:__

Scholl discloses the invention substantially as disclosed in claim 32, but does not

explicitly teach means for receiving messages from an internal provisioning computer, the

messages being prepared in response to customer question: (Branddy discloses requesting

information could be received from local web-server: figure 17, item 52)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine Branddy's ideas of load balancing between first server and

second servers into Scholl's network management system in order to provide an efficient

information distribution system, see (Branddy: column 6, lines 1-9)

Regarding claim 36:

Scholl discloses the invention substantially as disclosed in claim 32, but does not

explicitly teach receiving messages from the Internet: (in Branddy's system, the requesting

information could be received from the web-servers through firewall: figure 17, item 52: figure

17, items 74, 72)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine Branddy's ideas of load balancing between first server and

second servers into Scholl's network management system in order to provide an efficient

information distribution system, see (Branddy: column 6, lines 1-9)

Claims 37-39 are rejected under 35 U.S.C 103(a) as being un-patentable over Scholl

in view of Goldberg et al. (U.S. 6,076,092)

Regarding claim 37:

Scholl discloses the invention substantially as disclosed in claim 32, but does not

explicitly teach business object means for processing the message when the message requests

system modifications; and units of work means for communication with the message receiving

means and with one or more business object means for processing the message

In analogous art, Goldberg discloses technique of applying business objects into

translating communication messages between network elements, see (figure 7; column 2, lines

26-31; column 5, lines 34-56)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine Goldberg's ideas of applying business objects into translating

communication messages those interacting between network elements into Scholl's network

management system in order to provide an improved database system (e.g. simultaneously

provide services/ communications with different business applications), see (column 1, lines 6-9;

column 2, lines 9-31)

Regarding claim 38:

In addition to rejection in claim 37, Scholl - Goldberg further discloses a first network

element manager associated with the first SCP; a second network element manager associated

with the second SCP; and network element manager means for managing translating the message

: (Scholl discloses a manager-of-managers network managing system which including a network

management gateway has capabilities of parsing and translating received management service

requests from the Web client into appropriate protocols or formats for each of destination

managed network elements prior forwarding them to appropriate managed network elements:

figure 3; column 6, lines 3-32, lines 57-67; abstract, lines 13-17; column 4, lines 1-64)

translating processed by the business object means into the second vendor-specific

format: (Goldberg discloses technique of applying business objects into translating

communication messages between network elements: figure 7; column 2, lines 26-31; column 5,

lines 34-56)

Regarding claim 39:

This claim is rejected under rationale of claim 38

Claim 40 is rejected under 35 U.S.C 103(a) as being un-patentable over Branddy

(U.S. 6,141,759) in view of Scholl et al. (U.S. 5,742,762)

Regarding claim 40:

Braddy discloses the invention substantially as claimed, including a global service

management method, which can be implemented in a computer hardware or software code for

managing a plurality of service control points in a telecommunications network, the global

service management system, comprising:

receiving a request for networking information retrieval at a global service management

system which is in communication with service control points (SCPs) of two or more vendors:

(Braddy discloses a computer network including client computers, a first server, and numbers of

second servers for distributing, monitoring and managing information requests; therefrom

information requests sent from the client system will be first received by the first server:

abstract)

determining if the requested network information is stored at the global service

management system: (in Braddy's system, a first server includes a request broker software which

is used to examine/ or determine if process requested information received from the client

computer in the first server or the second server: abstract; column 6, lines 15-27)

if the requested network information is not stored at the global service management

system, determining which SCP stores the requested network information: (in Braddy's system,

the request broker software has capability of determining one of second servers that has available

requesting information: column 6, lines 32-40)

However, Braddy does not explicitly disclose providing the requested network

information to a network element adaptor; and at the network element adaptor, translating the

requested network information to vendor-specific format required by the SCP

In analogous art, Scholl discloses the network management gateway includes the parser

and formatter for parsing and translating the management service requests into appropriate

formats or protocols of destination management network elements, see (column 6, lines 15-24,

lines 57-67)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine Scholl's ideas of sending messages to the parser and formatter

for parsing and translating the messages into appropriate formats or protocols of destination

management network elements into Braddy's system in order to increase efficiencies and

flexibilities for network management system (i.e. supporting multi-vendor configuration

systems) see (Scholl: column 3, lines 50-67; column 4, lines 1-10)

Claims 41-42 are rejected under 35 U.S.C 103(a) as being un-patentable over Scholl-Braddy in view of Kramer (U.S. 6,002,767)

Regarding claim 41:

Scholl- Braddy discloses the invention substantially as disclosed in claim 40, but does not explicitly teach receiving a reply from the SCP which stores the requested network information in response to the message; and reverse translating the reply from the format required by the SCP which stores the requested network information

In analogous art, Kramer discloses technique of using gateway as intermediary agent which implements messages translating and reversed-translating for communications between network elements, see (column 122, lines 14-17)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Kramer's ideas of applying translating and reversed-translating techniques into Scholl- Braddy's network management system in order to increase flexibility and security for communication system see (column 121, lines 42-67)

Regarding claim 42:

This claim is rejected under rationale of claim 41

Claim 43 is rejected under 35 U.S.C 103(a) as being un-patentable over Scholl-Braddy in view of Goldberg et al. (U.S. 6,076,092)

Regarding claim 43:

Scholl- Braddy discloses the invention substantially as disclosed in claim 40, but does not explicitly teach providing portions of a request message to a translation database; and receiving translated portion from the translation database

In analogous art, Goldberg discloses technique of applying business objects stored in a database for translating communication messages between network elements, see (figure 7; column 2, lines 26-31; column 5, lines 34-56)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Goldberg's ideas of applying business objects into translating communication messages those interacting between network elements into Scholl- Braddy's network management system in order to provide an improved database system (e.g. simultaneously provide services and communications with different business applications), see (column 1, lines 6-9; column 2, lines 9-31)

Conclusions

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents and publications are cited to further show the state of the art with respect to "global service management system for an advanced intelligent network": 5657375; 5742762; 5894574; 5812653; 5533107; 5,915,008; 6373950; 5915008; 5629974; 6628623.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lan-Dai Thi Truong whose telephone number is 571-272-7959. The examiner can normally be reached on Monday- Friday from 8:30am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Bunjob A. Jaroenchonwanit can be reached on 571-272-3913. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

03/12/2008
LT

/Kenny S Lin/
Primary Examiner, Art Unit 2152